

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PENNSYLVANIA STATE CONFERENCE OF  
THE NAACP, *et al.*,

*Plaintiffs,*

v.

LEIGH M. CHAPMAN, in her official capacity  
as Acting Secretary of the Commonwealth, *et*  
*al.*,

*Defendants.*

Case No. 1:22-cv-00339-  
SPB

STIPULATION

Plaintiffs and the undersigned County Election Boards, by their undersigned counsel, hereby stipulate as follows:

1. The undersigned County Election Boards desire a prompt resolution of this case in order to have direction on how to properly proceed in future elections. Accordingly, while the undersigned County Election Boards neither admit nor deny the allegations of the Amended Complaint, the undersigned County Election Boards do not object to, and stipulate and agree to not contest or appeal, the declaratory and injunctive relief requested by Plaintiffs in this action. The forgoing does not prohibit the undersigned County Election Boards from joining an appeal of a decision of this Court denying Plaintiffs' requested declaratory and injunctive relief or from appealing a decision of the Court imposing sanctions on the undersigned County Election Boards.

2. In the absence of any further agreed-upon extension by Plaintiffs, the undersigned County Election Boards stipulate and agree: that they shall not unreasonably impede discovery in this action; that they will, by January 20, 2023, answer and respond fully and completely to the written interrogatories, document requests, and requests for admission served upon them by Plaintiffs on December 14, 2022, limiting objections to the extent reasonably possible to those concerning privilege; and that they will produce to Plaintiffs' counsel all requested non-privileged items and documents.

3. In exchange for the undersigned County Election Boards' stipulation and cooperation in discovery as stated in the other paragraphs of this Stipulation, Plaintiffs stipulate and agree: to forgo any claim for attorneys' fees and costs against only the undersigned County Election Boards; to refrain from seeking the entry of any default or seek any further response from the undersigned County Election Boards in this case; and to forgo any other relief in this case against the undersigned County Election Boards other than the injunctive and declaratory relief sought in Plaintiffs' Amended Complaint.

4. To the extent the deposition testimony or other sworn statement of the undersigned County Election Boards shall be reasonably necessary for evidentiary purposes, Plaintiffs and the undersigned County Election Boards stipulate and agree to reasonably cooperate with each other to provide such testimony or statement in the least burdensome manner.

Undersigned counsel for Plaintiffs represents that counsel for all other parties listed below consent to this Stipulation.

Dated: January 4, 2023

Respectfully submitted,

Ari J. Savitzky  
Megan C. Keenan  
Sophia Lin Lakin  
Adriel I. Cepeda Derieux  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004  
Tel.: (212) 549-2500  
asavitzky@aclu.org  
mkeenana@aclu.org  
slakin@aclu.org  
acepedaderieux@aclu.org

David Newmann (PA 82401)  
Brittany Armour (PA 324455)  
HOGAN LOVELLS US LLP  
1735 Market Street, 23<sup>rd</sup> Floor  
Philadelphia, PA 19103  
Tel: (267) 675-4610  
david.newmann@hoganlovells.com  
brittany.armour@hoganlovells.com

/s/Stephen A. Loney, Jr.  
Witold J. Walczak (PA 62976)  
Richard T. Ting (PA 200438)  
AMERICAN CIVIL LIBERTIES UNION  
OF PENNSYLVANIA  
P.O. Box 23058  
Pittsburgh, PA 15222  
Tel: (412) 681-7736  
vwalczak@aclupa.org  
rting@aclupa.org

Marian K. Schneider (PA 50337)  
Stephen Loney (PA 202535)  
AMERICAN CIVIL LIBERTIES UNION  
OF PENNSYLVANIA  
P.O. Box 60173  
Philadelphia, PA 19102  
mschneider@aclupa.org  
sloney@aclupa.org

*Counsel for the Pennsylvania State  
Conference of the NAACP, League  
of Women Voters of Pennsylvania,  
Philadelphians Organized to  
Witness, Empower and Rebuild,  
Common Cause Pennsylvania,  
Black Political Empowerment  
Project, Make the Road  
Pennsylvania, Jean Terrizzi,  
Barry M. Seastead, Marjorie  
Boyle, Marlene G. Gutierrez,  
Deborah Diehl, Aynne Margaret  
Pleban Polinski, Joel Bencan, and  
Laurence M. Smith*

ADAMS COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Sean A. Mott

Molly R. Mudd

Sean A. Mott

COUNTY OF ADAMS

117 Baltimore Street

Gettysburg, PA 17325

Tel: 717-337-5911

Fax: 717-334-9542

mmudd@adamscounty.us

samott@adamscounty.us

ALLEGHENY COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/George M. Janocsko

George M. Janocsko

Virginia Spencer Scott

Frances M. Liebenguth

Lisa G. Michel

ALLEGHENY COUNTY LAW DEPARTMENT

445 Fort Pitt Blvd, Suite 300

Pittsburgh, PA 15219

Tel: (412) 350-1173

Fax: (412) 350-1174

george.janocsko@alleghenycounty.us

virginia.scott@alleghenycounty.us

frances.liebenguth@alleghenycounty.us

lisa.michel@alleghenycounty.us

Allan J. Opsitnick

564 Forbes Avenue, Suite 1301

Pittsburgh, PA 15219

Tel: (412) 391-3299

aopsitnick@opsitnickslaw.com

ARMSTRONG COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Andrew J. Sacco  
Andrew J. Sacco, Solicitor  
ARMSTRONG COUNTY BOARD OF ELECTIONS  
450 Market Street  
Kittanning, PA 16201  
sslaw@windstream.net

BEAVER COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Garen Fedeles  
Garen Fedeles, Esq.  
Beaver County Solicitor  
810 Third St.  
Beaver, Pa 15009  
Tel: (724) 770-4445  
Fax: (724) 773-7268  
gfedeles@beavercountypa.gov

BLAIR COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Nathan W. Karn, Sr.  
Nathan W. Karn, Sr.  
BLAIR COUNTY SOLICITOR  
401 Allegheny Street  
PO Box 415  
Hollidaysburg, PA 16648  
Tel: 814-695-7581  
Fax: 814-695-1750  
PACER: nkarn@eveyblack.com  
COMMUNICATION: nkarn@blairco.org

BUCKS COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Amy Fitzpatrick  
Amy Fitzpatrick  
COUNTY OF BUCKS LAW DEPARTMENT  
55 E. Court Street, 5th Floor  
Doylestown, PA 18901  
Tel: (215) 348-6464  
amfitzpatrick@buckscounty.org

Jessica L VanderKam  
STUCKERT AND YATES PA  
2 North State Street  
Newtown, PA 18940  
Tel: (215) 968-4700  
jvanderkam@stuckertyates.com

CAMBRIA COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/William Gleason Barbin  
William Gleason Barbin  
Melissa A. Kestermont  
CAMBRIA COUNTY SOLICITOR'S OFFICE  
200 South Center Street  
Cambria County Courthouse  
Ebensburg, PA 15931  
Tel: 814-472-1607  
mkestermont@co.cambria.pa.us

CAMERON COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Edwin W. Tompkins  
Edwin W. Tompkins  
Cameron County Solicitor  
20 E. 5th St.  
Emporium, PA 15834  
Tel: (814) 486-1532  
ewtompkinslaw@gmail.com

CHESTER COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Colleen Frens  
Colleen Frens  
Faith Mattox-Baldini  
CHESTER COUNTY SOLICITOR'S OFFICE  
313 W Market Street, Suite 6702  
West Chester, PA 19380  
Tel: (610) 344-6195  
cfrens@chesco.org  
fmattoxbaldini@chesco.org

CLARION COUNTY BOARD OF  
ELECTIONS and SUSQUEHANNA  
COUNTY BOARD OF ELECTIONS and  
TIOGA COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Christopher P. Furman  
Christopher P. Furman  
Gabriel Fera, P.C.  
1010 Western Avenue, Suite 200  
Pittsburgh, PA 15233  
T: (412) 223-5815  
F: (412) 774-0074  
cfurman@gabrielfera.com

CLINTON COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ Larry E. Coploff  
Larry E. Coploff  
COPLOFF, RYAN & HOUSER  
136 E Water St  
Lock Haven, PA 17745  
Tel: (570) 748-7771  
lec@crwlaw.net

CRAWFORD COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Keith A. Button  
Keith A. Button  
SHAFFER LAW FIRM  
890 Market St.  
Meadville, PA 16335  
Tel: 814-724-4540  
Fax: 814-724-4545  
kbutton@shaferlaw.com

CUMBERLAND COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ Keith O. Brenneman  
Keith O. Brenneman  
CUMBERLAND COUNTY OFFICE OF THE  
SOLICITOR  
One Courthouse Square, Room 208,  
Carlisle, PA 17013  
kobrenneman@cumberlandcountypa.gov



DELAWARE COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/J. Manly Parks  
James Manly Parks  
Nick Centrella  
DUANE MORRIS LLP  
30 South 17th Street  
Philadelphia, PA 19103  
Tel: 215-979-1342  
Fax: 215-689-3682  
jmparks@duanemorris.com  
nmcentrella@duanemorris.com

ELK COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Thomas G. Wagner  
Thomas G. Wagner, Solicitor  
115 Lafayette Street  
St. Marys, PA 15857  
Tel: (814) 781-3445  
twagner@mwbklaw.com

ERIE COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Thomas S. Talarico  
Thomas S. Talarico  
TALARICO & NIEBAUER  
510 Cranberry Street, Suite 301  
Erie, PA 16507  
Tel: (814) 459-4472  
Fax: (814) 454-5851  
ttalarico@nwpalawyers.com

FRANKLIN COUNTY BOARD OF  
ELECTIONS and POTTER COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Frank J. Lavery, Jr.  
Frank J. Lavery, Jr.  
Andrew W. Norfleet  
LAVERY LAW  
225 Market Street, Suite 304  
P.O. Box 1245  
Harrisburg, PA 17108-1245  
Tel: (717) 233-6633  
Fax: (717) 233-7003  
flavery@laverylaw.com  
anorfleet@laverylaw.com

JUNIATA COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Donald K. Zagurskie  
Donald K. Zagurskie, Esq.  
JUNIATA COUNTY SOLICITOR'S OFFICE  
117 Main St., Mifflin, PA 17058  
Tel: (717) 436-8044  
Fax: 717-436-2722  
dzagurskie@juniataco.org

LEHIGH COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Catharine M. Roseberry  
Catharine M. Roseberry  
COUNTY OF LEHIGH DEPARTMENT OF LAW  
17 S 7th Street, Ste 440  
Allentown, PA 18101  
Tel: 484-241-0675  
catharineroseberry@lehighcounty.org

LYCOMING COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ J. David Smith  
J. David Smith, PA I.D. No. 27813  
McCORMICK LAW FIRM  
835 West Fourth Street  
Williamsport, PA 17701  
Tel: (570) 326-5131  
Fax: (570) 326-5529  
dsmith@mcclaw.com

MIFFLIN COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Stephen S. Snook  
Stephen S. Snook  
20 S. Wayne Street  
Lewistown, PA 17044  
T: (717) 242-3400  
ssnook@bmzlaw.com

MONTGOMERY COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Maureen Calder  
Maureen Calder  
MONTGOMERY COUNTY SOLICITOR'S OFFICE  
One Montgomery Plaza, Suite 800  
Norristown, PA 19404  
Tel: (610) 278-3033  
Fax: (610) 278-3033  
mcalder@montcopa.org

NORTHAMPTON COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Brian J. Taylor  
Brian J. Taylor  
NORTHAMPTON COUNTY SOLICITOR'S OFFICE  
669 Washington Street  
Easton, PA 18042  
Tel: (610) 829-6350  
Fax: (610) 559-3001  
btaylor@kingspry.com

PHILADELPHIA COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ Aimee D. Thomson  
Ilana Hope Eisenstein  
Brian H. Benjet  
DLA Piper LLP (US)  
One Liberty Place  
1650 Market Street, Suite 4900  
Philadelphia, PA 19103  
Tel: (215) 656-3351  
Fax: (215) 606-3351  
ilana.eisenstein@dlapiper.com  
brian.benjet@dlapiper.com

Aimee D. Thomson  
Zachary Strassburger  
CITY OF PHILADELPHIA LAW DEPARTMENT  
1515 Arch St., 15th Floor  
Philadelphia, PA 19102  
Tel: (215) 683-5439  
aimee.thomson@phila.gov  
zachary.strassburger@phila.gov

POTTER COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Thomas R. Shaffer  
Thomas R. Shaffer  
Solicitor for County of Potter  
410 Ross Street  
Coudersport, PA 16915  
814-203-1678  
Email: tom@410ross.com

SOMERSET COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ Michael P. Barbera  
Michael P. Barbera  
BARBERA, MELVIN, SVONAVEC &  
SPERLAZZA LLP  
146 West Main Street, P.O. Box 775  
Somerset, PA 15501  
Tel: (814) 443-4681  
Fax: (814) 443-2422  
mpbarbera@barberalaw.com

SULLIVAN COUNTY BOARD OF  
ELECTIONS and WYOMING COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

/a/Keneth R. Levitzky  
Kenneth R. Levitzky  
125 Churchill St., Box 489  
Dushore, PA 18614  
Tel: (570) 928-8288  
krllaw@epix.net

UNION COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/ Jonathan L. DeWald  
Jonathan L. DeWald, Esquire  
MCNERNEY, PAGE, VANDERLIN & HALL  
433 Market Street  
Williamsport, PA 17701  
Tel: (570) 326-6555; Ext. 240  
jdewald@mpvhlaw.com

WAYNE COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Wendell R. Kay  
Wendell R. Kay, Esq.,  
Wayne County, PA County Solicitor  
925 Court Street  
Honesdale, PA 18431  
WKay@waynecountypa.gov

It is so ordered this 5th day of January, 2022.



United States District Judge